

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

ORDINANCE NO. 00-12-06-50

AN ORDINANCE GRANTING AN EASEMENT FOR PUBLIC UTILITY PURPOSES

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY
THIS 4th DAY OF December, 2000.


PRESENTED: December 4, 2000
PASSED: December 4, 2000
APPROVED: December 4, 2000
RECORDED: December 4, 2000
PUBLISHED: December 4, 2000

In Pamphlet Form

Voting "Aye" 4
Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)


City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: December 4, 2000.



ORDINANCE NO. 00-12-06-50

AN ORDINANCE GRANTING AN EASEMENT FOR PUBLIC UTILITY PURPOSES

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, find it is necessary for the City to grant certain public utility easements as described in the attached Exhibit "A",

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. That grant of easement is hereby approved in that form and for that real estate as described in Exhibit "A", said Exhibit "A" being incorporated herein by reference.

Section 2. The Mayor and City Clerk of the City of LeRoy are hereby directed and authorized to execute the grant of easement and to cause the same to be recorded.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by

Dawn Thompson, seconded by Ron Litherland, by roll call vote on the 4th day of December, 2000, as follows:

Aldermen elected 6 Aldermen present 4

VOTING AYE:
Dawn Thompson, Ron Litherland, W. H. Weber
.....
(full names)

VOTING NAY:
none
.....
(full names)

ABSENT:
Dave McClelland, Steve Dean
.....
(full names)

ABSTAIN:
Ryan Miles
.....
(full names)

OTHER:
none
.....
(full names)

and deposited and filed in the office of the City Clerk in said municipality on the 4th day of December, 2000.

X Sue Marcum
Sue Marcum, City Clerk of the City of LeRoy,
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 4th day of December, 2000.

X Robert Rice
Robert Rice, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST (SEAL)

Sue Marcum
Sue Marcum, City Clerk of the City
of LeRoy, McLean County, Illinois

Mail to: Hunt Henderson, Attorney
112 East Center Street
LeRoy, Illinois 61752

EASEMENT

THE GRANTOR, THE CITY OF LE ROY, McLean County, Illinois, an Illinois municipal corporation, for good and valuable consideration, in hand paid, does hereby convey to THE PUBLIC easements as hereinafter described for the limited purposes of constructing, reconstructing, replacing, maintaining, deepening and keeping in repair subsurface public utility lines, including, but not limited to, electric lines, water lines, sewer lines, and natural gas lines, and sanitary and storm sewer lines, as well as related equipment, which equipment, such as boxes and vaults, may be placed on the surface, to which extent a limited easement is herein also granted in surface rights, and a limited easement is hereby granted for the purposes of ingress and egress to and from the hereinafter described easement ways, for the purposes of constructing, reconstructing, replacing, maintaining, deepening, and keeping in repair before said public utility lines and related equipment. The utility easement ways are described as follows:

Tract A - utility easement legal description: The South 10 feet and the West 10 feet of Lot 13 in Demma Industrial Park in the City of LeRoy, McLean County, Illinois;

Tract B - utility easement legal description: The West 10 feet of the South 15 feet of Lot 12 in Demma Industrial Park in the City of LeRoy, McLean County, Illinois,

(the aforescribed easements are further shown on a copy of a plat, attached hereto as Exhibit A and incorporated herein by reference).

The public utility, its agents, employees, assignees and successors in interest, shall have the right from time to time to enter and to pass over and upon the above-described premises, to effect the purpose of the easements herein granted, and to use the aforesaid easement as previously described herein.

The easements granted herein are conditioned upon the following:

1. Upon completion of any construction, reconstruction, maintenance or repair, the public utility shall restore the premises previously described herein to that condition as said premises existed prior to the aforesaid construction, reconstruction, maintenance or repair, in keeping with good engineering practices and accepted soil erosion control practices.
2. No owner of the servient tenement or real estate (Lots 12 and 13 in Demma Industrial Park, City of LeRoy, McLean County, Illinois) shall erect or construct any building or

other structure, nor drill or operate any well, nor construct any other obstruction within any of the easement ways. Grantor, and its assignees and successors in interest, shall have the right to use the premises located within the described easement way for purposes not inconsistent with the full enjoyment of the rights hereby granted to the public, through the public utilities as previously described herein.

IN WITNESS WHEREOF, the CITY OF LE ROY, McLean County, Illinois, has caused this instrument to be executed by its proper officers duly authorized to execute the same effective this _____ day of _____, 2000.

CITY OF LE ROY, McLean County, Illinois,
an Illinois municipal corporation

By: _____
Mayor, City of LeRoy, Illinois

ATTEST: (SEAL)

City Clerk of the City of LeRoy

STATE OF ILLINOIS)
) SS.
COUNTY OF McLEAN)

I, the undersigned, a Notary Public in and for said county and state aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be the Mayor of the City of LeRoy, and _____, personally known to me to be the City Clerk of said city, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Mayor and City Clerk, they signed, sealed and delivered the said instrument of writing as Mayor and as City Clerk of said city, and caused the seal of the City of LeRoy to be affixed thereto.

Given under my hand and notarial seal, this _____ day of _____, 2000.

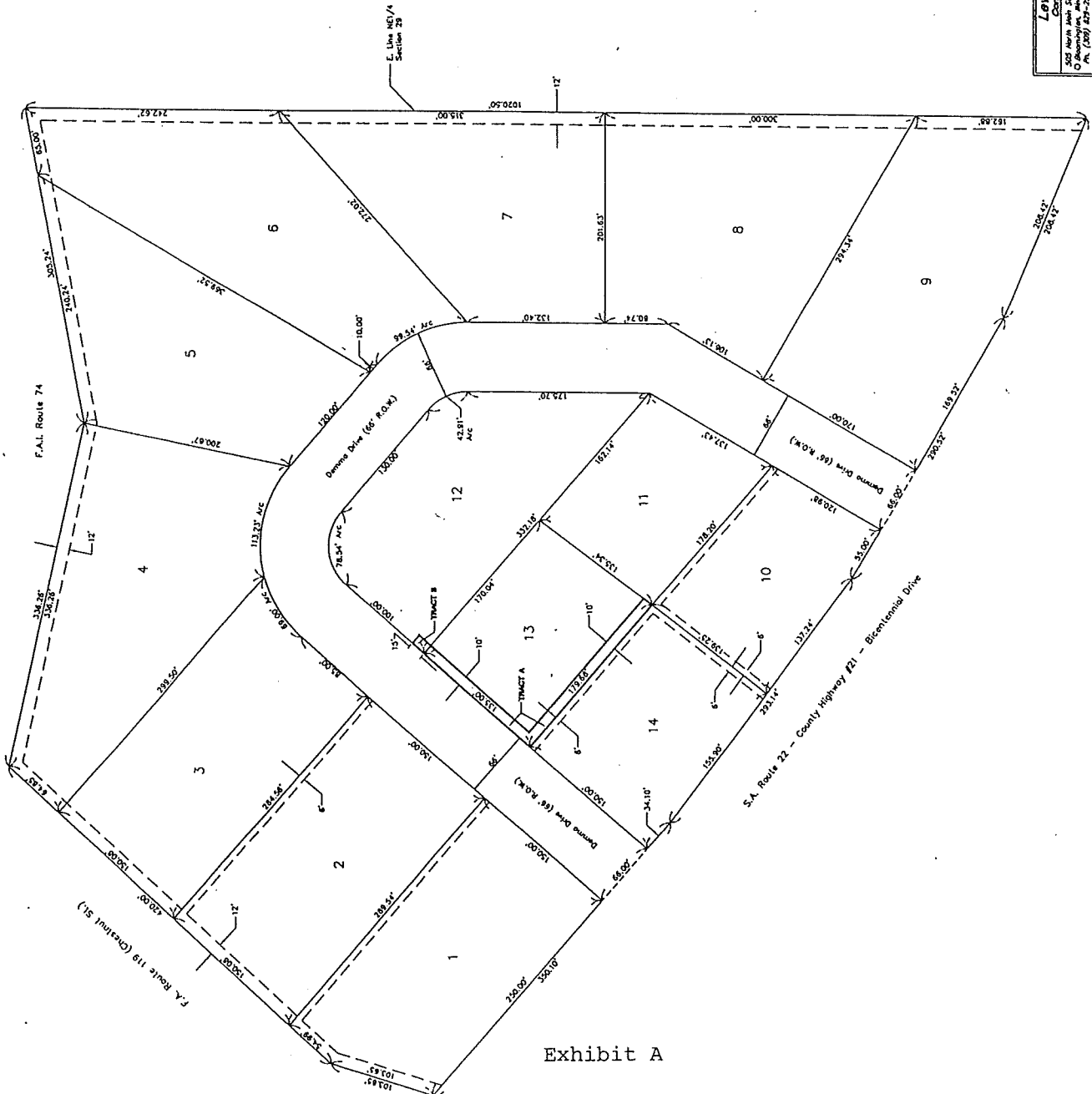
Notary Public

My Commission Expires: _____

This instrument prepared by:
Hunt Henderson, Attorney at Law #01186256
112 East Center Street, LeRoy, Illinois 61752
Telph: (309) 962-2791

EASEMENT PLAT

A part of Demma Industrial Park,
City of LeRoy, McLean County, Illinois



UTILITY EASEMENT - LEASE DESCRIPTION - Tract A
The South 10 feet and the West 10 feet of Lot 13 in Demma Industrial Park in the City of LeRoy, McLean County, Illinois.

UTILITY EASEMENT - LEASE DESCRIPTION - Tract B
The West 10 feet of the South 15 feet of Lot 12 in Demma Industrial Park in the City of LeRoy, McLean County, Illinois.

Successor's Certificate

I, Perry L. Lewis, Illinois Professional Land Surveyor No. 1874, do hereby certify that the above plat is a true and correct representation of general purpose utility easement lands to be dedicated to the public made under my direction.

Perry L. Lewis
Perry L. Lewis
Illinois Professional Land Surveyor No. 1874

10/20/2000
Date



Lewis, Yockey & Brown Inc.
Consulting Engineers & Land Surveyors
100 West Main Street
LeRoy, Illinois 62450
P. (202) 279-2552 F. (202) 842-9121

Map No.	565
City	LeRoy
County	McLean
State	Illinois
Project No.	10/20/2000
Scale	1" = 50'
Author	Perry L. Lewis
Checker	Perry L. Lewis
Reviewer	Perry L. Lewis
City Engineer	Perry L. Lewis
City Clerk	Perry L. Lewis
City Auditor	Perry L. Lewis
City Treasurer	Perry L. Lewis
City Attorney	Perry L. Lewis
City Recorder	Perry L. Lewis
City Assessor	Perry L. Lewis
City Collector	Perry L. Lewis
City Engineer	Perry L. Lewis
City Clerk	Perry L. Lewis
City Auditor	Perry L. Lewis
City Treasurer	Perry L. Lewis
City Attorney	Perry L. Lewis
City Recorder	Perry L. Lewis
City Assessor	Perry L. Lewis
City Collector	Perry L. Lewis

City of LeRoy
Demma Industrial Park
Utility Easement Plat

CERTIFICATE

I, Sue Marcum, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on December 4, 2000, the Corporate Authorities of such municipality passed and approved Ordinance No. 00-12-06-50, entitled:

AN ORDINANCE GRANTING AN EASEMENT FOR PUBLIC UTILITY PURPOSES,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 00-12-06-50, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on December 4, 2000, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 4th day of December, 2000.

(SEAL)


Sue Marcum
Municipal Clerk

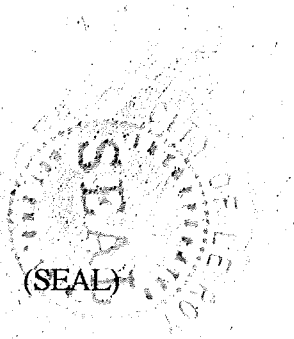
STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy , McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:
AN ORDINANCE GRANTING AN EASEMENT FOR PUBLIC UTILITY PURPOSES.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 4th day of December , 2000, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 4th day of December , 2000.



X Sue Marcum
City Clerk